



Attorney's Docket No. ROC0025

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D. Castelli, et al. Confirmation No.: 9932
Serial No.: 09/994,165 Art Unit: 1616
Filed: November 6, 2001 Examiner: Konata M. George
For: Use of Complexes for the Preparation of Compositions for the Treatment of Sensitive Skin, Preparation Process and Hypoallergenic Compositions

CERTIFICATION UNDER (37 C.F.R. § 1.8(A))

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Alexandria, VA 22313.

Date: 2/9/05

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Signature: /Sharon E. Hayner/ _____
Sharon E. Hayner

Mail Stop Petition
Assistant Commissioner for Patents
Alexandria, VA 22313

PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM OF PRIORITY

Dear Sir:

This is a Petition to correct an unintentionally delayed claim of priority in the above-pending application. Applicants' representative received the Notice of Allowance dated December 2, 2004, and while preparing to execute the Issue Fee, noted an error in the priority claim.

Applicants hereby petitions the Commissioner under 37 C.F.R. § 1.78(a)(3) to claim the benefit under 35 U.S.C. § 120 of an earlier filed international application.

The entire delay between the date the priority claim was due under paragraph §1.78(a)(2)(ii), four months from the actual filing date of this application (March 6, 2002) and this date was unintentional. When the current application was filed, priority was claimed to PCT/IB97/01218 as indicated on the copy of the Combined Declaration and Power of Attorney which is attached as Appendix A. Applicant

unintentionally omitted this information from the Preliminary Amendment mailed on November 6, 2001.

The claim of priority is as follows: This application is a divisional application of US serial no. 09/293,111 filed on April 16, 1999, now US patent 6,352,698, which is the national filing of International application number PCT/IB97/01218, filed on October 21, 1997.

As stated above, Applicant's representative first became aware of the need to add the Related Applications paragraph claiming priority while reviewing the Notice of Allowance and promptly filed this Petition.

Applicants attach an Amendment After Notice of Allowance to add a related cases section to the specification to correct the priority. Please charge the surcharge set forth in 37 CFR § 1.17(t) of \$1330.00 to Deposit Account 10-0750/ROC0025/SHH and any additional surcharge or fee that is required in connection with this petition.

Please contact me if any further information is required at the number below.

Respectfully submitted,

By ____/Sharon E. Hayner/_____
Sharon E. Hayner
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